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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,469	01/14/2000	Mark A. Smith	1026-026/MMM	8443

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 12/12/2002

3

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/483,469	SMITH, MARK A. <i>TM</i>	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 November 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-41 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-41 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-41 are presented for examination.
  
2. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - a. The claim language in the following claims is not clearly understood:
    - i. as to claim 1, lines 5 and 7, it is uncertain whether the system refers to a real-time computer discussion system or a central computer system in lines 1-2.
    - ii. as to claim 14, the claim has the same deficiency as claim 1.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Maurille (US 6,484,196 B1).

4. As to claims 1, 14 and 29, Maurille discloses the invention as claimed, including in a real-time computer discussion system (col. 1, lines 11-18) having a central computer system (100, fig. 1) with which each of multiple user computers are in communication (col. 6, lines 58-67) such that a common sequence and set of messages are transmitted among the user computers as substantially real-time messages of a discussion between users of the user computers (col. 2, lines 23-31, 35-37 and 53-67; col. 7, lines 1-10), the system including a computer-readable medium (104, 106, 108, 154, 156, fig. 1) that stores computer software instructions for operating the system (col. 3, lines 13-27; col. 6, lines 44-57), the improvement comprising:

computer software instructions stored on the computer-readable medium (104, 106, 108, 154, 156, fig. 1) for providing plural sessions of communication between any of the user computers and the central computer system, users of the user computers participating in the discussion during the sessions (col. 4, lines 17-27; col. 18, lines 44-49 and 58-67; col. 19, lines 1-15); and

computer software instructions stored on the computer-readable medium (108, fig. 1; fig. 2) for rendering on the user computers a summary of participation in the

discussion by the users during the plural sessions (col. 14, lines 61-67; col. 15, lines 1-8).

5. As to claim 21, the claim is rejected for the same reasons set forth in claim 1. In addition, Maurille discloses the user computers including display screens and the substantially real-time messages being rendered on the display screens, a graphical user interface rendered on the display screens (162, fig. 2; 770, fig. 7C; 800, fig. 8A; 820, fig. 8B; fig. 9; col. 5, lines 42-50).

6. As to claims 2-6 and 30-34, these claims are rejected for the same reasons set forth in claims 1 and 29. In addition, Maurille discloses the summary of participation in the discussion by the users and the common sequence and set of messages are rendered as separate and distinct panes of the user computers (col. 12, lines 31-46 and 56-67; col. 13, lines 1-10).

7. As to claims 7-9, 15, 16, 22-24 and 35-37, these claims are rejected for the same reasons set forth in claims 1, 14, 21 and 29. In addition, Maurille discloses discussion entry information for identifying when users who have participated in the discussion during any of the plural sessions (776, fig. 7C; col. 9, lines 15-24), and participating user information for identifying users who are currently participating in the discussion (col. 10, lines 61-67; col. 11, lines 1-7 and 11-26).

8. As to claims 10, 17, 25 and 38, Maurille further discloses discussion exit information for identifying when users who are not currently participating in the discussion (EXIT SESSION, fig. 7C; col. 19, lines 29-33).
9. As to claims 11, 18, 26 and 39, Maurille further discloses session participation information indicating a number of sessions during which each user participated in the discussion (col. 18, lines 44-49).
10. As to claims 12, 13, 19, 20, 27, 28, 40 and 41, Maurille further discloses which ones of the messages are designated as being of at least first and second selected messages types (col. 8, lines 21-65; col. 9, lines 1-14).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:  
Anupam et al, patent 5,991,796, Leahy et al, patent 6,219,045 B1, Tatham et al, patent 6,223,177 B1, DeNicola et al, patent 6,288,753 B1, Simonoff, patent 6,463,460 B1 disclose method and system for interactive communication system permitting increased collaboration between users.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Jungwon Chang  
December 6, 2002

  
ZARNI MAUNG  
PRIMARY EXAMINER